GOVERNMENT OF INDIA
INFORMATION AND BROADCASTING
LOK SABHA

UNSTARRED QUESTION NO:1678
ANSWERED ON:04.12.2006
STATUS OF ADVERTISING COURT TO ASCI
Bishnoi Shri Kuldeep

Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) Whether the Government proposes to give status of an 'advertising court' to the Advertising Standards Council of India;

(b) If so, the details thereof ;

(c) If not, reasons therefor; and

(d) The steps taken by the Government to give legislative and judicial powers to ASCI to enable it to penalise a non-complaint offender?

Answer

THE MINISTER OF INFORMATION & BROADCASTING AND PARLIAMENTARY AFFAIRS (SHRI P.R. DASMUNSI)

(a) : No, Sir ;

(b) : Does not arise.

(c) : The Government does not have any control over Advertising Standards Council of India

(ASCI) which is a self-regulatory body of the advertising industry. ASCI has a Consumer Complaints Council (CCC) comprising of people from various walks of life who examine complaints received on misleading, dishonest or indecent advertisements both in print media and electronic media and takes action on the same. As such, the Government has no proposal to give status of an 'advertising court' to ASCI.

(d) : No such step has been taken by the Government. However, vide Notification dated 2-8-2006 (Annexed), a provision has been made under the Cable Television Networks Rules, 1994 according to which no advertisement which violates the Code for self-regulation in advertising, as adopted by the Advertising Standard Council of India, Mumbai for exhibition in India, shall be carried in the cable service.

ANNEXURE Annexure as referred to in reply to part (d) of Lok Sabha Untarred Question No. 1678 to be answered on 4-12-2006

THE GAZETTE OF INDIA : EXTRAORDINARY PART (II) − SECTION 3 − sub-section
(i)

MINISTRY OF INFORMATION AND BROADCASTING NOTIFICATION NEW DELHI 02.08.2006

G.S.R 459(E) : In exercise of the powers conferred by sub-section (1) of section 22 of the Cable Television Networks (Regulation) Act, 1995 (7 of 1995), the Central Government hereby makes the following rules further to amend the Cable Television Networks Rules, 1994, namely:-

1. (1) These rules may be called Cable Television Networks (Amendment) Rules, 2006.

(2) They shall come into force on the date of their publication in the official Gazette.

2. In the Cable Television Networks Rules, 1994,

(i) In rule 6, in sub-rule (1) after clause (o) the following proviso shall be inserted, namely:-

"Provide that no film or film song or film promo or film trailer or music video or music albums or their promos, whether produced in India or abroad, shall be carried through cable service unless it has been certified by the Central Board of Film Certification (CBFC) as suitable for unrestricted public exhibition in India".

(ii) In rule 7, for sub-rule (9) the following shall be substituted, namely:-

(9) No advertisement which violates the Code for self-regulation in advertising, as adopted by the Advertising Standard Council of India (ASCI), Mumbai, for public exhibition in India, from time to time, shall be carried in the cable service".

[F.No. 2302/1/2001-BC-III (Part)] N.BAIJENDRA KUMAR Jt. SecY.

Note: The principal rules were published in Gazette of India, Part II, Section 3, Sub-section

(i) vide number GSR 729(E) dated the 29th September and subsequently amended by GSR 459

(E) dated the 8th October, 1996 and GSR 710 (E) dated the 8th September, 2000, and GSR 282

(E) dated the 11th May, 2006.